

### **REMARKS**

This is an Amendment and Reply to the Office Action dated February 13, 2004. Claims 1-9 are pending in this application. By this Amendment, claims 1-9 have been cancelled and claims 10-23 have been added. Accordingly, claims 10-23 are now at issue.

At the outset, the Applicants acknowledge and appreciate the Examiner's indication of allowable subject matter.

In the Office Action, the Examiner: (A) has objected to the drawings because FIG. 2 lacks an element number and an element number is not discussed in the specification; (B) has objected to the abstract because it was not submitted on a separate page and it contains objectionable terminology; (C) has objected to the specification because of certain informalities; and (D) has rejected claims 1-9 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Applicants submit the following reply to the Examiner's objections and rejections.

#### **A. Objection to Drawings**

The Examiner has objected to FIG. 2 of the drawings for failing to identify element number 13a and also including element number 18a, which is not discussed in the specification. The Applicant submits that the element that element number "18a" refers to was inadvertently mislabeled. This element should have been labeled as "13a." Accordingly, the drawings have been amended to correct this error. The Applicants respectfully request approval of the amended drawings.

**B. Objection to Abstract**

The Examiner has objected to the abstract because: it does not appear on a separate page; it uses the legalistic term “said;” it includes the phrase “the latter” which implies self activation; it includes the phrase “two spring forces” which implies two springs and not the torsion bar disclosed in the specification; it includes the term “configures” which is in the wrong tense; and it includes the term “electromagnet” which should be plural.

The Applicants have amended the abstract to address the Examiner’s objections. With respect to the objection to the phrase “two spring forces,” the Applicants note that although the second embodiment utilizes a torsion bar, the first embodiment indeed includes two spring forces: To further clarify the abstract, however, the Applicants have nevertheless amended the phrase “two spring forces” to read “a spring mechanism that provides two spring forces” to more accurately describe the invention with respect to both embodiments as disclosed in the specification.

**C. Objection to Specification**

The Examiner has objected to the specification because the armature was mislabeled as element number “12” rather than element number “13” on page 5; element 18a lacks discussion; and term “arranged” should follow with the term “opposite” to more precisely locate the armature center.

The Applicants have amended the specification to overcome these objections.

**D. Rejection of Claims Under Section 112**

The Examiner has rejected claims 1-9 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the Examiner has rejected: claim 1 because the term “veter” is not defined

in the specification; claims 2 and 3 because the terms “immersion” and “immersing” are without proper definition or standard meaning within the art; claim 3 lacks antecedent basis for “the pole ends of the yoke;” claim 4 because it appears to introduce another armature that is not depicted or discussed; and claims 6 and 7 because they lack antecedent basis for “the yokes.”

The Applicants have addressed each of these rejections by canceling claims 1-9 and adding new claims 10-23. The Applicants submit that claims 1-23 appear to be in condition for allowance.

The Applicants should note that the term “veter” in claim 1 was a typographical error and should have read “centre.” The Applicants also note that the terms “immersing” and “immersion” are indeed understood from the specification and drawings. Referring to page 5, lines 26-30 of the specification: “. . . the armature portion arranged to the electromagnet 12 is formed in this case, additionally as an immersion armature with immersion portions 13a and 13b and the poles 12c of the yoke 12a are arranged close to the immersion portions 13a and 13b in the shown position . . .” From this description, and as shown in FIG. 2, the “immersion portions” are elements that extend toward the electromagnet. The Applicants submit that these terms comply with Section 112.



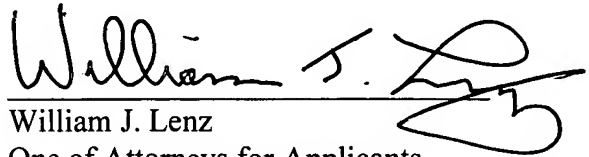
### Conclusion

Based on the forgoing, the Applicants respectfully request that claims 10-23 be allowed. Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully requested. Furthermore, if any charges or fees must be paid in connection with this amendment and reply, they may be paid out of our Deposit Account No. 50-0545.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: May 11, 2004

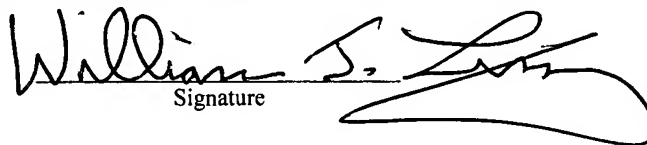
  
William J. Lenz  
One of Attorneys for Applicants

### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 11, 2004.

William J. Lenz

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
Signature

